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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/983,041	10/22/2001	Atsushi Shibuya	PF-2894/NEC/US/mh	8200
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WHITHAM, CURTIS & CHRISTOFFERSON, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			NGUYEN, HAI V	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

09/983,041

Applicant(s)

SHIBUYA, ATSUSHI

Examiner

Hai V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29, 31-38 and 40-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29, 31-38 and 40-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the communication received on 01 February 2006.

Response to Arguments

2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

3. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

4. Claims 1-29, 31-38, 40-47 and 48-55 are presented for examination.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-29, 31-38, 40-47 and 48-55 are rejected under 35 U.S.C. 102(e) as being anticipated by **Furusawa et al. U.S. patent # 6,934,738 B1**.

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7. As to claim 1, Furusawa taught the invention substantially as claimed (e.g., as in exemplary claim 1) including a communication network (*Fig. 1, network 1, Internet*); and

a plurality of terminal devices (*Fig. 1, receiving station 3*) connectable to said communication network for transmitting and receiving an information item (*message or email*) through said communication network;

wherein said communication system includes a table (*Fig. 6, table*) which provides at least one retrieval condition (*Fig. 6, urgent, must-read, ticker, must-read*) and for each said retrieval condition at least one corresponding display method (*Fig. 6, TWP UrgentPlugin*), so as to enable said terminal devices to detect in said information item said at least one retrieval condition and if the retrieval condition is detected to display said information item in accordance with said at least one corresponding display method (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

8. As to claim 2, Furusawa discloses, wherein each retrieval condition in said table comprises a key object (*Fig. 6, object: urgent or must-read or ticker in table*).

9. As to claim 3, Furusawa discloses, wherein each said key object comprises at least one object selected from the group consisting of key words and key marks (*Fig. 6, object: urgent or must-read or ticker in table*).

10. As to claim 4, Furusawa discloses, wherein said table includes designating data which designate necessary data for displaying said information item in accordance with said at least one corresponding display method (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

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11. As to claim 5, Furusawa discloses, wherein said table includes necessary data for displaying said information item in accordance with said at least one corresponding display method (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).
12. As to claim 6, Furusawa discloses, wherein said table is editable (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).
13. As to claim 7, Furusawa discloses, wherein said table is transferable through said communication network (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).
14. As to claim 8, Furusawa discloses, wherein said information item comprises an e-mail (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).
15. As to claim 9, Furusawa discloses, wherein said e-mail has at least an attached file (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).
16. As to claim 10, Furusawa discloses, wherein said table is stored in a memory of said terminal device (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).
17. As to claim 11, Furusawa discloses, wherein said table is open on a server computer on said communication network, so as to enable said terminal device to download said table from said server (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).
18. As to claim 12, Furusawa discloses, wherein each of said terminal devices includes:
 - a first function block for performing said retrieval under said retrieval condition with reference to said table (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*); and
 - a second function block for displaying said information item in accordance with said at least one corresponding display method (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

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19. As to claim 13, Furusawa discloses, wherein each of said terminal devices further includes: a third function block for transmitting and receiving said table through said communication network (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

20. As to claim 14, Furusawa discloses, wherein each of said terminal devices includes:

a processing unit (*Fig. 1, item 5c, col. 3, line 13 – col. 5, line 62*); and

a memory accessible by said processing unit, and said memory storing a computer program comprising the steps of means (*Fig. 1, execution unit 5d*) for performing said retrieval under said at least one retrieval condition with reference to said table (*Fig. 1, table 5g*); and means (*Fig. 3, display 45*) for displaying said information item in accordance with said at least one corresponding display method (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

21. As to claim 15, Furusawa discloses, means (*Fig. 1, receiving station 5*) for transmitting and receiving said table through said communication network (*Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

22. Claim 16 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

23. Claims 17-24 have similar limitations of claims 2-9; therefore, they are rejected under the same rationale as in claims 2-9.

24. Claims 25-28 have similar limitations of claims 12-15; therefore, they are rejected under the same rationale as in claims 12-15.

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25. Claim 29 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

26. Claims 31-37 have similar limitations of claims 2, 4-9; therefore, they are rejected under the same rationale as in claims 2, 4-9.

27. Claim 38 corresponds to the method claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

28. Claims 40-46 have similar limitations of claims 2-9; therefore, they are rejected under the same rationale as in claims 2-9.

29. Claim 47 corresponds to the computer readable medium claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

30. Claims 49-55 have similar limitations of claims 2-9; therefore, they are rejected under the same rationale as in claims 2-9.

Claim Rejections - 35 USC § 103

31. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

32. Claims 1-29, 31-38, 40-47 and 48-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shaughnessy et al.** U.S. patent # **5,928,325** in view of **Furusawa et al.** U.S. patent # **6,934,738 B1**.

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33. As to claim 1, Shaughnessy taught the invention substantially as claimed (e.g., as in exemplary claim 1) including a communication network (*Fig. 1, networks 30, 40, 50, 60*); and

a plurality of terminal devices (*Fig. 1, devices 35, 44, 55, 65*) connectable to said communication network for transmitting and receiving an information item (*Figs. 1-3, email message*) through said communication network;

wherein said communication system includes a table (*col. 4, line 3- - col. 5, line 67*)

which provides at least one retrieval condition (*Fig. 1, a type format*) and for each said retrieval condition at least one corresponding display method (*Fig. 1, portable graphics terminal for digital image or cellular phone for voice*), so as to enable said terminal

devices to detect in said information item said at least one retrieval condition and if the retrieval condition is detected to display said information item in accordance with said at least one corresponding display method (*Figs. 1-3, col. 4, line 15 – col. 7, line 2*).

It would have been obvious to one of ordinary skill in the networking art at the time of the invention that the claimed invention differed from the teachings of Shaughnessy only by a degree, e.g., the table showing retrieval conditions and corresponding display method which is taught by **Furusawa** (patent # **6,934,738 B1**) in Figure 6 for the purpose of determining what type of format displaying email on receiving device (*Shaughnessy, col. 5, lines 7-67*).

34. As to claim 2, Shaughnessy-Furusawa discloses, wherein each retrieval condition in said table comprises a key object (*Furusawa, Fig. 6, object: urgent or must-read or ticker in table*).

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35. As to claim 3, Shaughnessy-Furusawa discloses, wherein each said key object comprises at least one object selected from the group consisting of key words and key marks (*Fig. 6, object: urgent or must-read or ticker in table*).

36. As to claim 4, Shaughnessy-Furusawa discloses, wherein said table includes designating data which designate necessary data for displaying said information item in accordance with said at least one corresponding display method (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

37. As to claim 5, Furusawa discloses, wherein said table includes necessary data for displaying said information item in accordance with said at least one corresponding display method (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

38. As to claim 6, Shaughnessy-Furusawa discloses, wherein said table is editable (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

39. As to claim 7, Shaughnessy-Furusawa discloses, wherein said table is transferable through said communication network (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

40. As to claim 8, Shaughnessy-Furusawa discloses, wherein said information item comprises an e-mail (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

41. As to claim 9, Shaughnessy-Furusawa discloses, wherein said e-mail has at least an attached file (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

42. As to claim 10, Shaughnessy-Furusawa discloses, wherein said table is stored in a memory of said terminal device (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

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43. As to claim 11, Shaughnessy-Furusawa discloses, wherein said table is open on a server computer on said communication network, so as to enable said terminal device to download said table from said server (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

44. As to claim 12, Shaughnessy-Furusawa discloses, wherein each of said terminal devices includes:

a first function block for performing said retrieval under said retrieval condition with reference to said table (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*); and a second function block for displaying said information item in accordance with said at least one corresponding display method (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

45. As to claim 13, Shaughnessy-Furusawa discloses, wherein each of said terminal devices further includes: a third function block for transmitting and receiving said table through said communication network (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

46. As to claim 14, Shaughnessy-Furusawa discloses, wherein each of said terminal devices includes:

a processing unit (*Furusawa, Fig. 1, item 5c, col. 3, line 13 – col. 5, line 62*); and a memory accessible by said processing unit, and said memory storing a computer program comprising the steps of means (*Furusawa, Fig. 1, execution unit 5d*) for performing said retrieval under said at least one retrieval condition with reference to said table (*Fig. 1, table 5g*); and means (*Fig. 3, display 45*) for displaying said

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information item in accordance with said at least one corresponding display method (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

47. As to claim 15, Shaughnessy-Furusawa discloses, means (*Fig. 1, receiving station 5*) for transmitting and receiving said table through said communication network (*Furusawa, Figs. 6, 10, 12, col. 6, line 49 – col. 9, line 59*).

48. Claim 16 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

49. Claims 17-24 have similar limitations of claims 2-9; therefore, they are rejected under the same rationale as in claims 2-9.

50. Claims 25-28 have similar limitations of claims 12-15; therefore, they are rejected under the same rationale as in claims 12-15.

51. Claim 29 corresponds to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

52. Claims 31-37 have similar limitations of claims 2, 4-9; therefore, they are rejected under the same rationale as in claims 2, 4-9.

53. Claim 38 corresponds to the method claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

54. Claims 40-46 have similar limitations of claims 2-9; therefore, they are rejected under the same rationale as in claims 2-9.

55. Claim 47 corresponds to the computer readable medium claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

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56. Claims 49-55 have similar limitations of claims 2-9; therefore, they are rejected under the same rationale as in claims 2-9.

57. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen
Examiner
Art Unit 2142



THONG VU
P. E.

